

Michael J. McCue (Nevada Bar #6055)
Meng Zhong (Nevada Bar #12145)
LEWIS ROCA ROTHGERBER CHRISTIE LLP
3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996
(702) 949-8200 (phone)
E-mail: mmccue@lrrc.com
E-mail: mzhong@lrrc.com

*Attorneys for Defendant and Counter-Claimant
Cirrus Design Corporation*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CIRRUS AVIATION SERVICES, LLC,

Plaintiff and Counter-Defendant,

v.

CIRRUS DESIGN CORPORATION,

Defendant and Counter-Claimant.

Case No. 2:16-cv-02656-JAD-GWF

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND CASE
MANAGEMENT DEADLINES**

(Second Request)

Pursuant to Local Rules 7-1 and 26-4, Plaintiff Cirrus Aviation Services, LLC (“Cirrus Aviation”) and Defendant Cirrus Design Corporation (“Cirrus Design”), by and through their respective counsel, hereby agree and stipulate to extend certain case management deadlines set forth in the Court’s Scheduling Order (ECF No. 30) and Order Granting Stipulation to Extend Discovery Deadlines (ECF No. 35) for a period of 90 days. This is the parties’ second request for an extension of time. One prior extension has been granted. The parties’ stipulation is supported by the following:

I. Good Cause

Good cause for the requested extensions of time exists. The Parties have worked diligently to meet the Court-ordered fact discovery deadline of February 18, 2019. Both parties have exchanged and requested document production, and are currently discussing dates to complete depositions of lay and expert witnesses. The parties have done so in light of the recent holidays in December and January. However, because of the holidays, the parties were unable to schedule witness depositions due to witness and counsel travel

1 and office closures.

2 In addition, counsel for both parties, including lead counsel, have been extremely
3 busy with other matters in early 2019, including a three-week jury trial (still ongoing) for
4 Defendant's lead counsel. Additionally, Plaintiff's lead counsel has been involved in very
5 substantial discovery activities in the lead-up to a four week jury trial in Reno, which is
6 scheduled to begin on February 4, 2019.

7 In addition, Defendant has recently submitted a motion to substitute the firm of
8 Lewis Roca Rothgerber Christie LLP as its new Nevada-resident counsel. The attorneys
9 from that firm are in the process of familiarizing themselves with the file and record in
10 this matter.

11 The parties now jointly seek to extend the deadline for the close of discovery by 90
12 days, from February 18, 2019 to May 18, 2019, and to adjust all case deadlines
13 accordingly.

14 **II. Statement Specifying the Discovery Completed to Date.**

15 The parties have completed the following phases of discovery:

- 16 • The parties held their Rule 26(f) conference on May 22, 2018.
- 17 • The parties exchanged their Rule 26(a)(1) disclosures on June 16, 2018.
- 18 • The parties have exchanged and requested written discovery and relevant
19 documents, and supplemented these documents where necessary
20 throughout the discovery period.
- 21 • The parties submitted their Interim Status Report on December 19, 2018.
- 22 • Cirrus Aviation has submitted its Initial Expert Disclosure.

23 **III. A Specific Description of the Discovery that Remains to be Completed.**

24 The parties must still take lay witness and expert witness depositions.

25 The parties are still engaged in discussions regarding written discovery, and each
26 party has raised issues about the other party's discovery responses and document
27 production, which they are attempting to resolve.

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1 **IV. A Proposed Schedule for Completing all Remaining Discovery.**

2 The parties propose the following extensions of deadlines set forth in the Order
3 Granting Stipulation to Extend Discovery Deadlines:

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Event	Current Date	Parties' Stipulated Proposal
Rebuttal Expert Disclosures	January 18, 2019	January 25, 2019
Close of fact discovery (LR 26-2)	February 18, 2019	May 18, 2019
Last day to file dispositive motions (Fed. R. Civ. P. 56(b); LR 7-2(e); LR 26-1(e)(4))	March 19, 2019	June 16, 2019
Motions <i>in limine</i> due (LR 16-3)	30 days prior to trial	30 days prior to trial
Joint Pretrial Order due (LR 26-1)	April 18, 2019	July 16, 2019

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14 **IT IS SO AGREED AND STIPULATED** this 29th day of January, 2019:

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16 LEWIS ROCA
ROTHGERBER CHRISTIE LLP

FOX ROTHSCHILD LLP

17 By: /s/ Meng Zhong
18 Michael J. McCue (Nevada Bar #6055)
Meng Zhong (Nevada Bar #12145)
19 3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996

By: /s/ Kevin M. Sutehall
Mark J. Connot (Nevada Bar #10010)
Kevin M. Sutehall (Nevada Bar #9437)
1980 Festival Plaza Drive, Suite 700
Las Vegas, NV 89135

20 *Attorneys for Defendant and Counter-*
21 *Claimant Cirrus Design Corporation*

Attorneys for Plaintiff and Counter-
Defendant Cirrus Aviation Services, LLC

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23 **IT IS SO ORDERED:**

24
25 
UNITED STATES MAGISTRATE JUDGE

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27 DATED: 1/30/2019
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